

REMARKS

In the immediate prior response dated June 26, 2006, Applicant submitted substantive arguments which included claim amendments and replacement sheets of corrected FIGS. 6B and 6C. The Examiner postponed consideration of the arguments on their merits in favor of requesting the following items in the present office action dated September 6, 2006:

1. Examiner requests a substitute specification excluding claims pursuant to 37 CFR 1.125(a).
2. Examiner requests a marked-up copy of a replacement sheet for Figs. 6B and 6C and clearly labeled as an "Annotated Sheet."
3. Examiner requests a copy of a complete set of drawings.
4. Examiner requests that subject matter recited in claims 43 and 98 be shown or the feature(s) canceled from the claim(s).

1. Examiner requests a substitute specification excluding claims pursuant to 37 CFR 1.125(a).

Applicant includes a substitute specification including marked-up and clean versions. For the convenience of the Examiner, the marked-up version also includes comments embedded within the substitute specification to explain each amendment. No new matter is added. Applicant provides the following remarks, addressing both past and current amendments. These remarks are intended to clarify for Examiner each change as set forth in the substitute specification:

- a. Preliminary amendments made Nov. 13, 1998. See embedded comments 0, 1, 5, 6, 7, 8, 11, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 27, 28, and 29 in the marked-up version of the substitute specification.
- b. New amendment to conform the priority claims of the disclosure to the priority claims shown on application receipt from PTO dated Jan. 25, 2002. See embedded comment 2 in the marked-up version of the substitute specification.
- c. New amendment to maintain consistency in language used in the priority claims. See embedded comment 3 in the marked-up version of the substitute specification.

- d. New amendment to delete a portion of the priority chain in light of MPEP 201.11 (III) (G) Deleting Benefit Claims. See embedded comment 4 in the marked-up version of the substitute specification. An Application Data Sheet is submitted herewith which reflects the amended priority claims.
- e. Amendment made Dec. 4, 2001. See embedded comments 12 and 18 in the marked-up version of the substitute specification.
- f. Amendment made Nov. 29, 2002. See embedded comment 9 in the marked-up version of the substitute specification.
- g. Certain details of exemplary embodiments of the present invention are disclosed in greater particularity in parent applications within the lineage of this case, which parent applications (i.e., U.S. Pat. Nos. 4,895,810 and 5,262,336) were incorporated by reference. A new amendment is made to expressly recite portions of previously incorporated material and, therefore, no new matter is introduced. The purpose of this amendment is to ensure that all reference numerals of Figs. 6B and 6C are mentioned in the specification.

The expressly recited material that appears at embedded comment 13 of the marked-up version of the substitute specification corresponds with U.S. Pat. No. 4,895,810, column 4, lines 31-33 and 43-45, column 11, lines 43-45, and column 12, lines 17-18. The expressly recited material that appears at embedded comment 19 of the marked-up version of the substitute specification corresponds with U.S. Pat. No. 5,262,336, column 11, lines 30-31 and 53-57, column 20, lines 13-14, column 21, lines 65-68, and column 24, lines 11-14.

- h. Similarly, a description for new Fig. 25 (Fig. 18 of U.S. Pat. No. 5,262,336) is provided as identified at comments 10 and 26 in the marked-up version of the substitute specification, responsive to the Examiner's objection that the subject matter of claims 43 and 98 are not shown in the drawings. This expressly recited material, previously incorporated by reference, corresponds with U.S. Pat. No. 5,262,336, at column 10, lines 35-39, and column 14, line 65 to column 15, line 14.

2. Examiner requests a marked-up copy of a replacement sheet for Figs. 6B and 6C and clearly labeled as an “Annotated Sheet.”

In the immediate prior response dated June 26, 2006, Applicant submitted corrected drawing figures of Figs. 6B and 6C. Examiner now requires Applicant to submit a marked-up copy clearly labeled as “Annotated Sheet” that must be presented in the amendment or remarks section that explains the changes to the drawings. Accordingly, Applicant provides a marked-up copy of the replacement sheet for Figs. 6B and 6C and labels it “Annotated Sheet.” Revised Fig. 6B is a copy of Fig. 19 of U.S. Pat. No. 4,895,810, with reference numerals changed to correspond with the present specification. Revised Fig. 6C is a copy of Fig. 16B of U.S. Pat. No. 5,262,336, with reference numerals changed to correspond with the present specification.

3. Examiner requests a copy of a complete set of drawings.

Examiner notes that Fig. 6A is not found in the IFW/eDAN database and requests Applicant to submit a complete set of drawings in reply to the office action dated September 6, 2006 because it is not clear whether there are any other newly added drawing sheets missing in the IFW/eDAN database. Accordingly, Applicant includes herein a complete set of drawings and notes that there is a FIG. 6, but not a Fig. 6A in the application.

4. Examiner requests that subject matter recited in claims 43 and 98 be shown or the feature(s) canceled from the claim(s).

Examiner states that the subject matter recited in claims 43 and 98 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. Applicant submits that the specification of the present application, which includes incorporated U.S. Pat. Nos. 4,895,810 and 5,262,336, supports such features. The present application has been amended, as discussed at paragraph 1.h. above, to show and describe the claimed subject matter within the text of the specification. This includes the material expressly recited with respect to Fig. 25 (Fig. 18 of U.S. Pat. No. 5,262,336). Applicant provides a correlation of the elements questioned by Examiner of claims 43 and 98 to reference numerals appearing in figures of the present application supported by at least the following:

Annotated excerpt of claim 43:

“the gate conductor 262 comprising doped polysilicon 232 contacting the gate oxide layer 260A within the trench 263 and a first metal layer 275/230 defining a gate metal layer overlying the doped polysilicon 232 of the gate conductor; an insulating layer 272 overlying the gate conductor; and an upper metal layer 94 over the insulating layer 272/68 and having a first portion 312/313/314 contacting the gate conductor through a via in the insulating layer and a second portion 316/317 coupled to the source region in electrical isolation from the gate conductor.”

Annotated excerpt of claim 98:

“a first metal layer comprising aluminum including a first portion 230 extending over the doped polysilicon and a second portion 228 contacting the source semiconductor material; an insulating layer 272/274/262 disposed over said gate structure and between the first and second portions of the first metal layer; and a second metallization over said insulating layer, the second metallization having a first portion 312/313/314 contacting the first portion of the first metal layer on the gate structure through said insulating layer and a second portion 316/317 contacting said second portion of the first metal layer.”

In view of the foregoing amendments and remarks, and the amendments and remarks of the immediate prior response dated June 26, 2006, the application should now be allowable. If there are any questions, the Examiner is requested to call the undersigned.

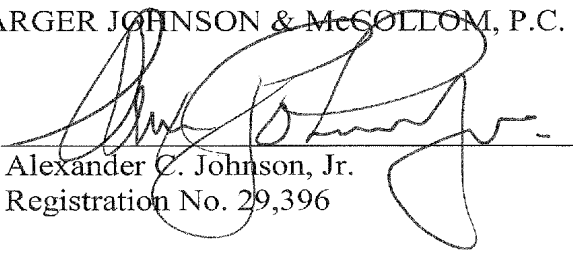
Respectfully submitted,

20575

Customer No.

MARGER JOHNSON & McCOLLUM, P.C.

By


Alexander C. Johnson, Jr.
Registration No. 29,396

210 S.W. Morrison Street, Suite 400
Portland, Oregon 97204
Telephone: (503) 222-3613